

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SHELDON G. ADELSON,

Plaintiff,

v.

MOSHE HANANEL,

Defendant.

**Civil Action No. 04-cv-10357-RCL
(Sorokin, U.S.M.J.)**

ECF Case

DECLARATION OF ANDREW H. SCHAPIRO

ANDREW H. SCHAPIRO hereby declares under penalty of perjury pursuant to 28 U.S.C. §1746:

1. I am a partner of the law firm of Mayer Brown LLP, counsel for Sheldon G. Adelson in connection with the above-captioned action. I submit this declaration in support of Plaintiff's Motion for Default Judgment.

2. On January 16, 2008, the First Circuit issued its mandate reversing this Court's grant of Hananel's motion to dismiss for *forum non conveniens*.

3. Federal Rule of Civil Procedure 12(a)(4)(A) provides that when a court denies a motion to dismiss, the defendant's answer "shall be served within 10 days after notice of the court's action."

4. Accordingly, Defendant Moshe Hananel's answer was due on January 31, ten business days after the First Circuit's mandate issued.

5. As of the date of this Declaration, Hananel had not filed an answer.

6. Therefore, Plaintiff is entitled to default judgment.

Dated: February 15, 2008

/s/ Andrew H. Schapiro

Andrew H. Schapiro

Christopher J. Hought

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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Andrew H. Schapiro